IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 475 of 2005

PUKHRAJ

V/S

RAMNARAYAN

Mr. PAWAN OJHA, for the appellant / petitioner

Date of Order : 11.9.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

Perused the impugned judgments and decrees of the two learned courts below.

The finding recorded against the plaintiff about his having failed to prove non-user of the suit shop for the requisite period is a pure finding of fact, which is not vitiated on any of the grounds available under Section 100 CPC. The appeal thus, does not involve any substantial question of law. The same is, therefore, dismissed summarily.

(N P GUPTA),J.

/Sushil/